

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANDERSON LOOKKIN,  
Derivatively on Behalf of  
Nominal Defendant CIT GROUP INC.,

Plaintiff,

JEFFREY M. PEEK, GARY C. BUTLER, WILLIAM M.  
FREEMAN, SUSAN M. LYNE, MARIANNE MILLER  
PARRS, ESTATE OF JAMES S. McDONALD,  
TIMOTHY M. RING, JOHN R. RYAN, SEYMOUR  
STERNBERG, PETER J. TOBIN, LOIS M. VAN  
DEUSEN, WILLIAM J. TAYLOR, THOMAS B.  
HALLMAN, LAWRENCE A. MARSIELLO, and  
JOSEPH M. LEONE,

Defendants,

and

CIT GROUP INC.,

Nominal Defendant.  
-----X

08-CV-7803 (BSJ)

ECF CASE

~~PROPOSED~~ ORDER

Having considered the request of plaintiff Anderson Lookkin for voluntary dismissal of this derivative action without prejudice, the United States District Court for the Southern District of New York, this 8<sup>th</sup> day of Dec, 2009, finds the following:

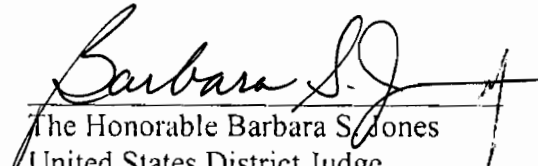
1. The dismissal of this derivative action is in the best interests of CIT Group Inc. ("CIT").
2. The requested voluntary dismissal is not the product of a settlement or collusion between plaintiff or his counsel, on the one hand, and any other party on the other.
3. Neither plaintiff nor his counsel has sought or received any consideration for seeking this dismissal in any form whatsoever.

4. In light of CIT's bankruptcy filing and because plaintiff seeks dismissal without prejudice, CIT will suffer no prejudice by virtue of plaintiff's request to dismiss this derivative action without prejudice.

NOW THEREFORE, IT IS ORDERED as follows:

Plaintiff's request voluntarily to dismiss this derivative action without prejudice is GRANTED.

It is further ORDERED that plaintiff is not required to notify CIT's shareholders concerning the voluntary dismissal of this derivative action without prejudice.

  
The Honorable Barbara S. Jones  
United States District Judge